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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/351,086	07/09/1999	NEVENKA DIMITROVA	PHA-23.716	9235

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER	
BUI, KIEU OANH T	

ART UNIT	PAPER NUMBER
2611	15

DATE MAILED: 06/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/351,086	Applicant(s) DIMITROVA, NEVENKA
	Examiner KIEU-OANH T BUI	Art Unit 2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 April 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC 102

2 The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> *A person shall be entitled to a patent unless --*
>
> *(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.*
> *The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).*

3. Claims 1-10, and 18-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Abecassis (U.S. Patent No. 6,553,178 B2).

Regarding claim 1, Abecassis discloses "a method for processing video, the method comprising: determining an association between a first video segment including a particular feature and at least one additional information source also including that feature; and utilizing the association to display information from the additional information source based at least in part on a selection by a user of the feature in the first video segment while the video segment is displayed to the user", i.e., a customized content delivery is disclosed as video segments can be requested with a particular feature such as a personal preference, and based on that particular feature, related information to that feature can be displayed to the user/viewer from an additional

information source as from a vendor for that particular product or service which the viewer interested in viewing (Figs. 8 & 9, and col. 31/lines 14-24 & lines 45-67 for a variety of different sources, and col. 45/lines 30-57 for selecting video segments from plurality of video segments based on viewer's preference as well as col. 44/line 46-col. 45/line 18 for additional information provided as "advertisement" from other vendors or service providers; and more on Figs. 12A & 12B as while the video segment from the content-on-demand is displaying to the user, additional information can be obtained as the user can use info list button 1223, or sales button 1222, or quote 1221, further details on col. 4/lines 22-43 & col. 47/lines 30-47).

As for claim 2, in view of claim 1, Abecassis discloses "wherein determining the association further includes the step of retrieving the association from a memory" (see col. 22/lines 14-33 and col. 45/lines 30-57 for a memory addressed).

As for claims 3 and 4, in view of claim 1, Abecassis discloses "wherein determining the association further includes determining the association from information in a portion of the video segment", i.e., a portion of a video segment such as a 5-minute analysis or a 10-min analysis for each segment from a private source or from a university can be determined, requested and retrieved (col. 36/lines 1-16); and Abecassis further discloses "wherein the additional information source comprises an additional video segment also including the feature" (as discussed in claim 1).

As for claims 5 and 6, in view of claim 4, Abecassis discloses "wherein utilizing the association includes switching from display of the first video segment to display of the additional video segment also including the feature" (as shown in Fig. 11B, as a customized video is selected as "Yes" at 1130, a video transmission is switched at step 1131 or to step 1132 for

returning to non-customized video); and Abecassis further discloses "wherein utilizing the association includes displaying the additional video segment at least in part in a separate portion of a display which also includes at least a portion of the first video segment" (Fig. 10D shows that a selected target video, for a racing in this example, is shown a separate portion of a display within the video segment showing the car racing show).

As for claim 7, in view of claim 1, Abecassis further discloses "wherein the feature is a video feature extracted from at least one frame of the video segment", i.e., the selected target is at least one frame of the video segment as a window frame of image (col. 41/line 65 to col. 42/line 4).

As for claim 8, in view of claim 7, Abecassis discloses "wherein the video feature comprises at least one of a frame characterization, a face identification, a scene identification, an event identification, and an object identification" (col. 41/lines 53-65 & col. 42/lines 29-65 & col. 43/lines 10-32).

As for claims 9 and 10, in view of claim 1, Abecassis further discloses "wherein the feature is an audio feature extracted from at least one frame of the video segment" and "wherein utilizing the association includes combining an audio signal corresponding to the audio feature with an audio signal associated with the first video segment", i.e., as the user selects a target and zooms in, the audio feature being extracted and increases its audio sound related to the portion of video segments selected (col. 44/lines 16-41).

As for claims 18-25, these claims with same limitations are rejected for the reasons given in the scope of claims 1-10 as already discussed in details above.

Claim Rejections - 35 USC 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> *(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.*

5. Claims 11-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis (U.S. Patent No. 6,553,178 B2) in view of Jain et al. (U.S. Patent No. 6,463,444 B1).

Regarding claim 11, in view of claim 9, Abecassis does not further disclose "wherein utilizing the association includes converting an audio signal corresponding to the audio feature into a textual format which is displayed with the first video segment"; however, such a technique of converting audio signal to a textual format or speech-to-text feature is known in the art. In fact, Jain, in a video cataloger system for providing video/audio information data to the user, teaches to use a closed caption decoder (Fig. 3) or speech-to-text converting technique for providing a textual format to display with the video to the user (Fig. 9, item 518, and col. 9/line 45 to col. 10/line 38 for audio feature extractors, and col. 20/lines 45-48 for speech-to-text). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Abecassis' system with Jain's teaching technique as disclosed in order to provide an additional feature such as a textual format in additional to the display of video presentation. This technique is helpful for some people have difficulty in hearing, so that they can read the texts on the display screen instead, which serves also as a motivation for modifying Abecassis regarding this limitation.

As for claim 12, in view of claims 9 and 11 above, Jain further including "separating at least a portion of the video segment into audio categories including one or more of single-voice speech, multiple voice speech, music, silence and noise in order to extract the audio feature therefrom" (see Fig. 6 and col. 9/line 45 to col. 10/line 38 for a monitoring screen for separating a portion of video segment into audio categories and audio feature extractors as addressed).

As for claim 13, in view of claims 9 and 11 above, Jain teaches "wherein the audio feature comprises at least one of a music signature extraction, a speaker identification, and a transcript extraction", i.e., music, and/or speaker ID, signatures or sample speeches of individual speaker or transcripts from the speaker are within audio feature addressed (see col. 9/line 18-col. 10/line 38).

As for claim 14, in view of claim 1, the combination of Abecassis and Jain teaches "wherein the feature is a textual feature extracted from at least one frame of the video segment", i.e., applied Jain's technique of textual feature extracted, the at least one frame of the video segment as discussed earlier of Abecassis would contain the textual feature (see claims 1, 7 and 11).

As for claim 15, in view of claim 14, Jain further discloses "wherein utilizing the association includes displaying information corresponding to the textual information as an overlay on a display of the first video segment" (as illustrated in Fig. 17, and col. 14/lines 15-63).

As for claim 16, in view of claims 1 and 14, Jain further teaches "wherein determining the association further includes determining the association based at least in part on at least one multi-dimensional feature vector extracted from a portion of the video segment using a feature extraction technique" (Fig. 14, and col. 12/lines 20-46 for feature extraction technique addressed).

6. Claim 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis (U.S. Patent No. 6,553,178 B2).

As for claim 17, in view of claim 1, Abecassis does not discloses "wherein determining the association further includes determining the association based at least in part on at least one of a similarity measure and a clustering technique"; however, this limitation is admitted as prior art by the Applicant (page 9, line 19 to page 10/line 13). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Abecassis' technique with a known prior art using similarity measure and a clustering technique for determining the association or the relationship in the determining step of claim 1, for the purpose of providing same information to a group of users with similarity interests on a certain product or service as preferred.

Response to Arguments

7. Applicant's arguments filed on 04/01/04 have been fully considered but they are not persuasive.

The applicants basically argues that Abecassis does not provide the feature of providing additional information source at least in part on a selection by a user of the feature while the video segment is displayed to the user; however, if one takes a closer look in Figs. 12A & 12B, and on column 4, lines 22-43, Abecassis discloses that the content-on-demand (as shown in Figs. 12A & 12B) is based on the concept of video segments and scenes; and while the user selects that video segment, the video segment is displaying to the user while other additional information can be provided (see col. 47/lines 30-67 as noted in the action).

Therefore, the Examiner disagrees with the Applicants' argument and stands with the disclosure and teaching of Abecassis and Jain as previously disclosed in the office Action and as further explained and discussed in this revised Final Office Action.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9306, (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krista Kieu-Oanh Bui whose telephone number is (703) 305-0095. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:30 PM, with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Krista Bui
Art Unit 2611
June 3, 2004

VIVEK SRIVASTAVA
PRIMARY EXAMINER